

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KEESYA D. ROSS,	:	Case No. 3:13-cv-38
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
TELEPERFORMANCE USA, INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	

DECISION AND ENTRY: (1) ADOPTING THE AMENDED REPORT AND RECOMMENDATIONS OF THE MAGISTRATE JUDGE (Doc. 4); (2) DISMISSING ONLY THE TITLE VII CLAIMS AGAINST DEFENDANTS MURRELL, NABOORS, HARRIS, THROCKMORTON, DUVALL, TYREE, JACK AND STEWARD; (3) AND DIRECTING SERVICE ON ALL DEFENDANTS NAMED IN THE COMPLAINT

This case is before the Court on the Amended Report and Recommendations of United States Magistrate Judge Sharon L. Ovington. (Doc. 4),¹ who recommends that the Complaint not be dismissed against Teleperformance USA, Inc., that Plaintiff's state law claims against Defendants Murrell, Nabors, Harris, Throckmorton, Duvall, Tyree, Jack and Stewart not be dismissed, that Plaintiff's Title VII claims against Defendants Murrell, Nabors, Hariss, Throckmorton, Duvall, Tyree, Jack and Stewart be dismissed and that the Clerk be directed to serve the Complaint on Defendants. Plaintiff did not file objections to the Report and Recommendations and the time for doing so has expired. Accordingly, the issues are now ripe for decision by the Court.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court reviewed the comprehensive findings of the Magistrate Judge *de novo*. Upon considering *de novo* all issues addressed by the Magistrate Judge, the Court **ADOPTS** the Report and Recommendations in its

¹ An identical Report and Recommendation was filed on February 12, 2013. (Doc. 3). The Court directs the Clerk to terminate that Report and Recommendations on the pending motions list.

entirety (Doc. 4) and **DISMISSES** Title VII claims against Defendants Murrell, Nabours, Hariss, Throckmorton, Duvall, Tyree, Jack and Stewart. **Plaintiff's remaining claims remain pending and the Clerk is instructed to serve the Complaint together with a summons upon each Defendant with all costs of service advanced by the United States.**

The Court **VACATES** the Notation Order improperly docketed on March 7, 2013. Plaintiff filed a Motion seeking an Entry of Default against Defendants. (Doc. 6). Because Defendants have not yet been served, Plaintiff's Motion (Doc. 6) is **DENIED**.

IT IS SO ORDERED.

Date: March 8, 2013

s/ Timothy S. Black
Timothy S. Black
United States District Judge